

MEMORANDUM

Agenda Item No. 8(F)(1)


TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: March 5, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution declaring surplus
County-owned real property
located at 15880 NW 27 Avenue;
authorizing the public sale of
same to the highest bidder

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE
COUNTY

Date: March 5, 2013

To: Honorable Chairwoman Rebecca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution Declaring Surplus County-Owned Real Property Located at 15880 NW 27 Avenue, Miami Gardens, FL - Folio No. 34-2116-013-0080

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution, which does the following:

- Declares a 23,532 square foot County-owned parcel located at 15880 NW 27 Avenue, Miami Gardens, FL, as surplus;
- Authorizes the property to be sold to the highest bidder through the County's competitive bidding process at a minimum bid amount of \$320,000, as determined in the attached appraisal by Howard J. Delahanty, Member of the Appraisal Institute (MAI), an independent State of Florida certified appraiser; and
- Waives Administrative Order 8-4 as it relates to review by the Planning Advisory Board because the property is located within the City of Miami Gardens. The action to surplus and sell was not presented to the Planning Advisory Board due to the fact that they do not have jurisdiction within the City of Miami Gardens.

SCOPE

The property is located in County Commission District 1.

FISCAL IMPACT/FUNDING SOURCE

The sale of this property will eliminate the County's obligation to maintain the property, which costs approximately \$660 per year, and will place the property back on the tax roll, generating approximately \$14,149 in annual ad valorem taxes. The proceeds of the sale - minus any portion of the value of the property attributable to the expenditure of non-Community Development Block Grant (CDBG) funds for acquisition or improvement of the property - will be returned to the County's CDBG account for use on CDBG eligible activities.

TRACK RECORD/MONITOR

Carmen Gomez of the Real Estate Development Division in the Internal Services Department is managing the sale of this property on behalf of the Public Housing and Community Development (PHCD) Department.

DELEGATION OF AUTHORITY

Authorizes the County Mayor or the County Mayor's designee to sell the property via sealed bid to the highest bidder, take all actions necessary to accomplish the sale of the property, and authorizes the Chairperson or Vice Chairperson to execute a County Deed for such purpose.

BACKGROUND

The County originally became involved with this property in December of 1985 and April of 1986, when the prior owner received CDBG loans totaling \$150,000 from Dade Employment and Economic Development Corporation (DEEDCO), an economic development not-for-profit entity affiliated with the Community Action Agency (now known as Community Action and Human Services Department). The loans were used by the prior owner to purchase this property, which consisted of a gas station

(including the land, gas station equipment and inventory), and for the renovation of the structure. The County secured these loans with a first mortgage on this property, as well as five vacant residential lots located on NW 115 Street east of NW 22 Avenue, which were also owned by the prior owner. The prior owner failed to make payments on the loans from July 1, 1992 through April 29, 1999, at which time the outstanding balance of principal and interest past due totaled \$243,267. The County foreclosed on the loans and acquired this property on July 19, 2000, through a Certificate of Title recorded in OR Book 19204, Page 1352.

PHCD has no use for the subject property and requested that the Internal Services Department sell the property. As required, the Internal Services Department circulated the property to all County departments to determine whether the County has a present or future need for the property, in which none was determined. The property is comprised of approximately 23,532 square feet of land and contains a building of approximately 2,729 square feet. Because CDBG were used to purchase the property and CDBG funds have been used to maintain it over the years, any future use must meet the national objective of generating at least eight jobs, or, the property must be sold for the current fair market value of \$320,000. The money generated from the sale of the property will be returned to the CDBG account for use on CDBG-eligible projects. The County is retaining a perpetual easement on approximately 33 feet along the east property line for possible future transit usage.

Additional property details are as follows, and shown in the attached property map:

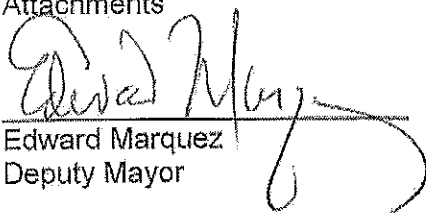
FOLIO NUMBER: 34-2116-013-0080

LOCATION: 15880 NW 27 Avenue, Miami Gardens, FL

PROPERTY SIZE: 23,532 Square Feet

ZONING: The property is zoned BU-2 Commercial, and is located in the boundaries of the City of Miami Gardens.

Attachments


Edward Marquez
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: March 5, 2013

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(F)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☒ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(1)
3-5-13

RESOLUTION NO. _____

RESOLUTION DECLARING SURPLUS COUNTY-OWNED REAL PROPERTY LOCATED AT 15880 NW 27 AVENUE IN MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEED FOR SUCH PURPOSE

WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, for the property described in the accompanying County Deed, copy of which is incorporated herein by reference; and

WHEREAS, pursuant to Section 125.35(1) of the Florida Statutes, the Board has determined that it is in the best interests of the County to sell County-owned real property located at 15880 NW 27 Avenue, Miami-Dade County, to the highest bidder,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. Pursuant to Section 125.35(1) of the Florida Statutes, this Board hereby declares surplus County-owned real property located at 15880 NW 27 Avenue, Miami-Dade County, which was acquired using Community Development Block Grant Funds; authorizes

the sale to the highest bidder via competitive bidding for the minimum sale amount of \$320,000.00; authorizes the County Mayor or the County Mayor's designee to take all actions necessary to accomplish the sale of said real property, legally described in the aforementioned County Deed; and to reimburse the County's CDBG account with the proceeds of the sale (minus any portion of the value of the property attributable to the expenditure of non-CDBG funds for acquisition or improvement of the property) for use on CDBG-eligible activities; authorizes waiving Administrative Order 8-4 as it pertains to review by the Planning Advisory Board, and authorizes the execution of said County Deed by the Board of County Commissioners acting by the Chairperson or Vice Chairperson of the Board.

Section 3. Pursuant to Resolution No. R-974-09, the Board directs the County Mayor or the Mayor's designee to record the instrument of conveyance accepted herein in the Public Records of Miami-Dade County, Florida; and to provide a recorded copy of the instrument to the Clerk of the Board within thirty (30) days of execution of said instrument; and directs the Clerk of the Board to attach and permanently store a recorded copy together with this resolution.

The foregoing resolution was offered by Commissioner ,
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of March, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

GBK

Geri Bonzon-Keenan

Instrument prepared by and returned to:
Internal Services Department
Real Estate Development Division
111 N.W. 1 Street, Suite 2460
Miami, Florida 33128-1907

Folio No. 34-2116-013-0080

COUNTY DEED

THIS DEED, made this _____ day of _____, 2011 A.D. by MIAMI-DADE COUNTY, FLORIDA, a Political Subdivision of the State of Florida, party of the first part, whose address is: Stephen P. Clark Center, 111 NW 1 Street Suite 17-202, Miami, Florida 33128-1963, and _____, party of the second part, whose address is _____, Florida.

WITNESSETH:

That the party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, has granted, bargained and sold to the party of the second part, his or her heirs and assigns forever, the following described land lying and being in Miami-Dade County, Florida:

Tract "H", LESS the West 79 feet thereof, of MCDONALD'S PROPERTIES FIRST ADDITION, according to the Plat thereof as recorded in Plat Book 73, Page 4, of the Public Records of Miami-Dade County, Florida.

Subject to the following restrictions:

This conveyance is made by the party of the first part and accepted by the party of the second part subject to all laws, regulations and restrictions including building and zoning ordinances of municipal or other governmental authorities applicable and enforceable against the above described property and all valid and subsisting conditions, covenants, reservations, exceptions, right-of-way, and easements of record.

Party of the first part further reserves unto itself, its successors and assign, a perpetual easement on, over, above, and across a portion of the land, legally described in Exhibit "A" for public purposes, including but not limited to transit system usage, roadway, utilities or other proper purposes, including construction and maintenance of same, and access thereto. This transit system usage may include, but is not limited to, use for an elevated train guideway, support columns, busway, or any other transit facility. The party of the second part may not erect any building or structure within the easement area, nor make any use of it inconsistent with the rights retained by the party of the first part.

This grant conveys only the interest of the County and its Board of County Commissioners in the land herein described and shall not be deemed to warrant the title or to represent any state of facts concerning the same.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be executed in its name by its Board of County Commissioners acting by the Chairperson or Vice Chairperson of said Board, the day and year aforesaid.

(OFFICIAL SEAL)

ATTEST:

HARVEY RUVIN, CLERK

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____

Approved for legal sufficiency: _____

The foregoing was authorized by Resolution No. R-
Commissioners of Miami-Dade County, Florida, on the _____ day of _____

approved by the Board of County
, 2012.

LEGAL DESCRIPTION FOR PARCEL 232**LEGAL DESCRIPTION:**

A PORTION OF TRACT H OF McDONALD'S PROPERTIES FIRST ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 73, AT PAGE 4, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE CORNER OF SAID TRACT H; THENCE ALONG THE BOUNDARY LINE OF SAID TRACT H, FOR THE FOLLOWING DESCRIBED THREE (3) COURSES: 1) THENCE N 01°36'15" W, ALONG THE WEST RIGHT-OF-WAY LINE OF NW 27th AVENUE, FOR 124.54 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; 2) THENCE NORTHWESTERLY, WESTERLY AND SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 91°05'39" FOR A DISTANCE OF 39.75 FEET TO THE POINT OF TANGENCY, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF NW 159th STREET; 3) THENCE S 87°18'06" W, ALONG THE PREVIOUSLY DESCRIBED RIGHT-OF-WAY LINE, FOR 14.72 FEET; THENCE S 05°15'03" E, DEPARTING THE BOUNDARY LINE OF SAID TRACT H, FOR 30.22 FEET TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST, SAID POINT BEARS N 85°03'02" E FROM THE CENTER OF SAID CURVE; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 3947.50 FEET AND A CENTRAL ANGLE OF 01°44'22" FOR A DISTANCE OF 119.84 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT H; THENCE N 87°17'43" E, ALONG THE SOUTH LINE OF SAID TRACT H, FOR 33.11 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S REPORT:

1. THIS SKETCH AND LEGAL DESCRIPTION DOES NOT CONSTITUTE A SURVEY.
2. BEARINGS SHOWN HEREON ARE RELATIVE TO THE TRANSVERSE MERCATOR COORDINATE SYSTEM, FLORIDA EAST ZONE, NORTH AMERICAN DATUM 1983 /ADJUSTMENT 1990.
3. DATE PREPARED: APRIL 4th, 2008.
4. PREPARED FOR MIAMI-DADE TRANSIT.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MANUEL G. VERA Jr.
PROFESSIONAL SURVEYOR AND MAPPER #5291
STATE OF FLORIDA
NOT VALID UNLESS SEALED WITH THE EMBOSSED SURVEYOR'S SEAL.

NOT A SURVEY

PARCEL SKETCH
PARCEL 232

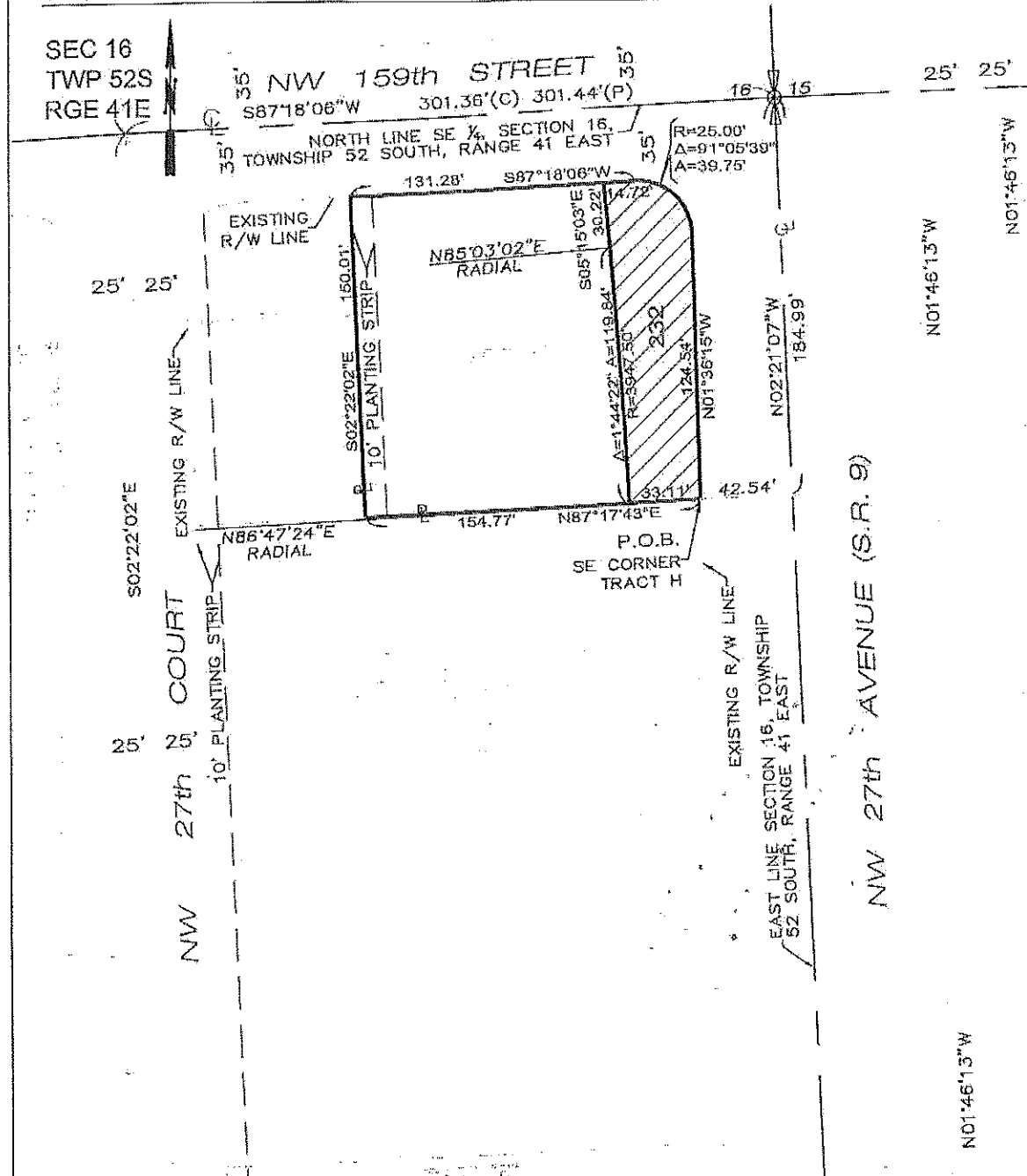
MIAMI-DADE	MIAMI-DADE
MANUEL G. VERA & ASSOCIATES, INC.	
ENGINEERS • SURVEYORS • MAPPERS	
13950 SW 47th STREET, MIAMI, FL 33175-3616	
TEL: (305) 221-6210 FAX: (305) 221-1295	
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER LB-2439	
NORTH CORRIDOR METRO RAIL EXTENSION PROJECT	
Contract No. TR05-NCPE	SHEET 1 OF 2

Folio No: 34-2116-013-0080

Date: 04/04/08

drawn by T. M. on 04/04/08

SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR PARCEL 232



ABBREVIATIONS:

A = DENOTES ARC LENGTH
 CL = DENOTES CENTER LINE
 (C) = DENOTES CALCULATED
 R/W = DENOTES RIGHT-OF-WAY
 PL = DENOTES PROPERTY LINE
 RESO. = DENOTES RESOLUTION

(R) = DENOTES RECORD
 R = DENOTES RADIUS
 P.B. = DENOTES PLAT BOOK
 PG. = DENOTES PAGE
 Δ = DENOTES CENTRAL ANGLE
 OR DEFLECTION ANGLE
 S.R. = DENOTES STATE ROAD
 P. = DENOTES PLAT


T = DENOTES TANGENT LENGTH
 SEC. = DENOTES SECTION
 TWP. = DENOTES TOWNSHIP
 RGE. = DENOTES RANGE
 P.O.C. = DENOTES POINT OF COMMENCEMENT
 P.O.B. = DENOTES POINT OF BEGINNING

Scale 1" = 60'

NOT A SURVEY

PARCEL SKETCH
PARCEL 232

— = PARENT TRACT.

 = PROPOSED PARCEL LIMITS.

Parcel Area: 5,284 s.f. = ± 0.121 AC
 Parent Tract Area: 23,225 s.f. = ± 0.533 AC
 Folio No: 34-2116-013-0080
 Date: 04/04/08

drawn by T. Mgrojan 04/04/08



MANUEL G. VERA & ASSOCIATES, INC.

ENGINEERS • SURVEYORS • MAPPERS
 13960 SW 47th STREET, MIAMI, FL 33175-3616
 TEL: (305) 221-8210 FAX: (305) 221-1295
 FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 18-2438

NORTH CORRIDOR METRORAIL
 EXTENSION PROJECT

Contract No. TR05-NCPE SHEET 2 OF 2

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Summary Details:

Folio No.:	34-2116-013-0080
Property:	15880 NW 27 AVE
Mailing Address:	MIAMI-DADE COUNTY OCED 701 NW 1 CT 14TH FLOOR MIAMI FL 33136-

Property Information:

Primary Zone:	6400 COMMERCIAL, MEDIUM INTENSITY
CLUC:	0047 DADE COUNTY
Beds/Baths:	0/0
Floors:	1
Living Units:	0
Adj Sq Footage:	2,729
Lot Size:	23,532 SQ FT
Year Built:	1961
Legal Description:	16-52-41-.53 AC M/L PB 73-4 MC DONALD PROPERTIES 1ST ADDN TRACT H LESS W79FT PR ADD 15880 NW 27 AVE LOT SIZE 23532 SQUARE FEET OR 19204-1352 0200 3

Assessment Information:

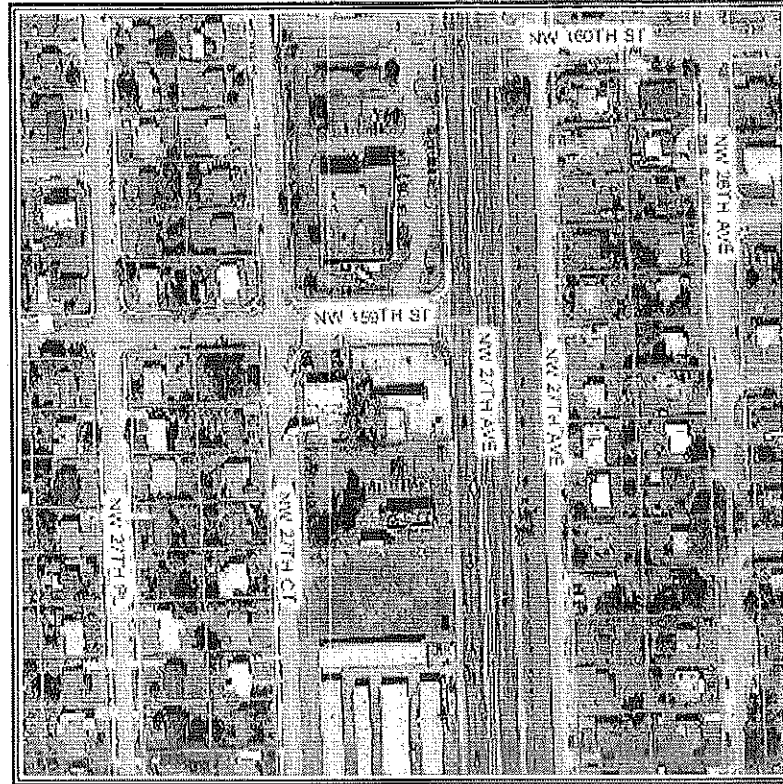
Year:	2012	2011
Land Value:	\$447,109	\$470,840
Building Value:	\$131,112	\$132,836
Market Value:	\$578,220	\$603,475
Assessed Value:	\$578,220	\$603,475

Taxable Value Information:

Year:	2012	2011
Taxing Authority:	Applied Exemption/ Taxable Value:	Applied Exemption/ Taxable Value:
Regional:	\$578,220/\$0	\$603,475/\$0
County:	\$578,220/\$0	\$603,475/\$0
City:	\$578,220/\$0	\$603,475/\$0
School Board:	\$578,220/\$0	\$603,475/\$0

Additional Information:

[Click here to see more information for this property.](#)
 Community Development District
 Community Redevelopment Area
 Empowerment Zone
 Enterprise Zone
 Zoning Land Use
 Urban Development Boundary



Aerial Photography - 2009

0 116 ft

Legend

Property Boundary
 Selected Property

Street
 Highway
 Miami-Dade County
 Water



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[My Neighborhood](#) | [Property Appraiser](#)

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If you experience technical difficulties with the Property Information application,
 or wish to send us your comments, questions or suggestions
 please email us at [Webmaster](#).

Web Site
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HOWARD J. DELAHANTY, MAI
1560 LEJEUNE ROAD, MIAMI, FLORIDA 33134
Telephone (305) 444-8201 E-mail hdelahanty@bellsouth.net

June 22, 2012
12-2555

Ms. Carmen Gomez, Real Estate Officer
Miami-Dade Internal Services
Real Estate Development
111 NW 1st Street, Suite 2460
Miami, Florida 33128

Dear Ms. Gomez:

As requested, I have personally examined and appraised a parcel of land located at approximately 15880 NW 27th Avenue, Miami Gardens, Miami-Dade County, Florida, for the purpose of estimating the current Market Value thereof, **AS IF VACANT**.

I submit herewith my Self Contained report containing the results of this investigation and my opinion of value the property which is more particularly described hereinafter.

Respectfully submitted,

DELAHANTY & ASSOCIATES, INC.



Howard J. Delahanty, MAI
State Certified General REA RZ 0000024

HJD:ld

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

Property Type	Vacant commercial located in the City of Miami Gardens, Miami-Dade County, Florida.
Location	15880 NW 27 th Avenue, Miami Gardens, Miami-Dade County, Florida.
Land Size	23,532 Square Feet - .54 Acres
Purpose	Current Market Value, As if vacant
Date of Value	June 22, 2012
Market Value	\$ 320,000

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement being a Legal Advertisement of Notice in the matter of



PUBLIC HEARING

MIAMI-DADE COUNTY PUBLIC HEARING 2/12/2013 2 PARCELS OF VACANT LAND

in the XXXX Court,
was published in said newspaper in the issues of

01/28/2013

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at this office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of attached copy of advertisement; and affiant further says she has neither paid nor promised any person, firm or company any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

PUBLIC HEARING NOTICE DATE to declare two parcels of vacant land acquired with Community Development Block Grant program funds, as surplus is scheduled to go on before the Finance Committee on February 12, 2013, at 9:30 AM., in the Board of County Commissioners Chambers located on the second level of the Stephen P. Clark Center, 111 NW 1st Street, Miami, Florida. These properties will be sold to the highest bidder and will be released from the restrictions of the Community Development Block Grant Program. The properties are as follows:

Declaration of Surplus Property Purchased with CDBG Funds		
District	Property Address	Folio
3	NW 54 Street between NW 26 and NW 25 Aves., Miami, FL	30-3122-001-0010
1	15880 NW 27 Ave., Miami Gardens, FL	34-2116-013-0060

Public Housing and Community Development does not discriminate based on race, sex, color, religion, marital status, national origin, disability, ancestry, sexual orientation, age, pregnancy or familial status in the access to, admission to, or employment in housing programs or activities. If you need a sign language interpreter or materials in accessible format for this event, call 786-469-4229 at least five days in advance. TDD/TTY users may contact the Florida Relay Service at 800-955-8771.

For legal ads online, go to <http://legalads.miamidade.gov>

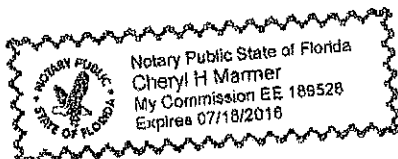
13-3-122/2021799M

Sworn to and subscribed before me this

28 day of JANUARY, A.D. 2013

(SEAL)

MARIA MESA personally known to me



PUBLIC HEARING

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